IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

Application No:	10/662,954	§	
Filed: September 15, 2003		§	Examiner: Naurot Ton, Joan
Inventor(s):		§	Group/Art Unit: 2154
Syed Mohammed Amir		§	Atty. Dkt. No: 5602-12300
Husain, Todd John Enright,		§	
Barry W. Thornton		§	
Title: SYSTEM AND		§	
METHOD FOR MULTI-		§	
FUNCTIONAL XML-		§	
CAPABLE SOFTWARE		§	
APPLICATIONS ON A		§	
PEER-TO-PEER		§	
NETWORK		§	

APPEAL BRIEF

Dear Sir or Madam:

Further to the Notice of Appeal filed on April 24, 2008, Appellants present this Appeal Brief. Appellants respectfully request that this appeal be considered by the Board of Patent Appeals and Interferences.

I.   REAL PARTY IN INTEREST

The subject application is owned by ClearCube Technology, Inc., a corporation organized and existing under and by virtue of the laws of the State of Delaware, and having its principal place of business at 8834 Capitol of Texas Highway, Austin, TX 78759, as evidenced by the assignment recorded at Reel 015877, Frame 0954.

II.   RELATED APPEALS AND INTERFERENCES

Related cases having application serial numbers 10/662,889, 10/662,936, and 10/662,955 are also under appeal. There are no other related appeals or interferences known to Appellants, Appellants' legal representatives, or assignee which will directly affect, be directly affected by, or have a bearing on the Board's decision in the pending appeal.

III.   STATUS OF CLAIMS

Claims 1-33 are pending. Claims 1-33 are rejected, and the rejection of these claims is being appealed. A copy of claims 1-33 is included in the Claims Appendix attached hereto.

IV.   STATUS OF AMENDMENTS

No amendments to the claims have been submitted subsequent to the final rejection.

V. SUMMARY OF CLAIMED SUBJECT MATTER

Independent claim 1 is directed towards a method comprising generating a message from a source application on a first computer system (*see*, e.g., Fig. 23, reference character 2401; page 6, lines 6-9; page 55, lines 12-17). The method also comprises translating the message from an original format to a portable format on the first computer system, thereby generating a portable message (*see*, e.g., Fig. 23, reference character 2403; page 6, lines 12-15; page 55, lines 18-23). The portable message comprises metadata which comprise identifying characteristics of the source application (*see*, e.g., page 6, lines 11-12; page 55, lines 21-23). The method further comprises sending the portable message from the first computer system to a second computer system using peer-to-peer message passing between the first computer system, the second computer system, and optionally one or more intermediary computer systems (*see*, e.g., page 4, lines 14-17). Additionally, the method comprises receiving the portable message at the second computer system (*see*, e.g., page 4, lines 14-17; page 6, lines 19-23). The method also comprises routing the portable message to a target application on the second computer system based on the metadata (*see*, e.g., page 4, lines 17-19).

Independent claim 12 is directed towards a computer-readable storage medium comprising program instructions (*see*, e.g., page 63, lines 1-6). The program instructions are computer-executable to implement generating a message from a source application on a first computer system (*see*, e.g., Fig. 23, reference character 2401; page 6, lines 6-9; page 55, lines 12-17). The program instructions are also computer-executable to implement translating the message from an original format to a portable format on the first computer system, thereby generating a portable message (*see*, e.g., Fig. 23, reference character 2403; page 6, lines 12-15; page 55, lines 18-23). The portable message comprises metadata which comprise identifying characteristics of the source application (*see*, e.g., page 6, lines 11-12; page 55, lines 21-23). The program instructions are further computer-executable to implement sending the portable message from the first computer system to a second computer system using peer-to-peer message passing between the first computer system, the second computer system, and optionally one or more intermediary

computer systems (*see*, e.g., page 4, lines 14-17). Additionally, the program instructions are computer-executable to implement receiving the portable message at the second computer system (*see*, e.g., page 4, lines 14-17; page 6, lines 19-23). The program instructions are also computer-executable to implement routing the portable message to a target application on the second computer system based on the metadata (*see*, e.g., page 4, lines 17-19).

Independent claim 23 is directed towards a system comprising a first computer system comprising a first CPU and a first memory (*see*, e.g., Fig. 1, reference characters 101, 105, 109; Fig. 3, reference characters 304, 206; Fig. 22, reference characters 101A, 101B; page 15, line 21 to page 20, line 14). The system also comprises a second computer system comprising a second CPU and a second memory, wherein the first computer system and the second computer system are communicatively coupled via a network (*see*, e.g., Fig. 1, reference characters 101, 105, 109; Fig. 3, reference characters 304, 206; Fig. 22, reference characters 101A, 101B; page 15, line 21 to page 20, line 14). The first memory stores program instructions (*see*, e.g., page 63, lines 1-6) which are executable by the first CPU to generate a message from a source application on the first computer system (*see*, e.g., Fig. 23, reference character 2401; page 6, lines 6-9; page 55, lines 12-17). The program instructions are also executable by the first CPU to translate the message from an original format to a portable format on the first computer system, thereby generating a portable message (*see*, e.g., Fig. 23, reference character 2403; page 6, lines 12-15; page 55, lines 18-23). The portable message comprises metadata which comprise identifying characteristics of the source application (*see*, e.g., page 6, lines 11-12; page 55, lines 21-23). The program instructions are further executable by the first CPU to send the portable message from the first computer system to the second computer system using peer-to-peer message passing between the first computer system, the second computer system, and optionally one or more intermediary computer systems (*see*, e.g., page 4, lines 14-17). The second memory stores program instructions (*see*, e.g., page 63, lines 1-6) which are executable by the second CPU to receive the portable message at the second computer system (*see*, e.g., page 4, lines 14-17; page 6, lines 19-23). The program instructions are also executable by the second CPU to route the portable

message to a target application on the second computer system based on the metadata (*see*, e.g., page 4, lines 17-19).

VI.   GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL

1.   Claims 1, 4, 11, 12, 15, 22, 23, 26, and 33 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Abjanic (U.S. Patent No. 7,111,076), Helgeson et al.(U.S. Patent No. 6,643652, hereinafter "Helgeson"), and Olson et al. (U.S. Patent No. 5,987,376, hereinafter "Olson").

2.   Claims 2, 13, and 24 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Abjanic, Helgeson, and Olson, and further in view of Law (WO 02/32171), Shaw et al. (U.S. Patent No. 6,362,836, hereinafter "Shaw"), and Chou et al. (U.S. Patent No. 6,247,056, hereinafter "Chou").

3.   Claims 3, 14, and 25 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Abjanic, Helgeson, and Olson, and further in view of Ozzie et al. (WO 01/06365, hereinafter "Ozzie").

4.   Claims 5, 16, and 27 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Abjanic, Helgeson, and Olson, and further in view of Aldred et al. (U.S. Patent No. 5,539,886, hereinafter "Aldred").

5.   Claims 6, 7, 16, 18, 28, and 29 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Abjanic, Helgeson, and Olson, and further in view of Harvey et al. (U.S. Patent No. 6,487,583, hereinafter "Harvey").

6.   Claims 8, 19 and 30 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Abjanic, Helgeson, and Olson, and further in view of Traversat et al. (U.S. Patent No. 7,167,920, hereinafter "Traversat").

7. Claims 9, 20, and 31 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Abjanic, Helgeson, and Olson, and further in view of Gupta et al. (U.S. Patent No. 7,051,102, hereinafter "Gupta").

8. Claims 10, 21, and 32 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Abjanic, Helgeson, and Olson, and further in view of Bentali et al. (U.S. Patent No. 6,282,170, hereinafter "Bentali").

VII. ARGUMENT

First Ground of Rejection:

Claims 1, 4, 11, 12, 15, 22, 23, 26, and 33 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Abjanic (U.S. Patent No. 7,111,076), Helgeson et al.(U.S. Patent No. 6,643652, hereinafter "Helgeson"), and Olson et al. (U.S. Patent No. 5,987,376, hereinafter "Olson").

Claims 1, 4, 11, 12, 15, 22, 23, 26, and 33:

To establish a *prima facie* case of obviousness of a claimed invention, all claim limitations must be taught or suggested by the prior art. *In re Royka*, 490 F.2d 981, 180 U.S.P.Q. 580 (C.C.P.A. 1974), MPEP 2143.03. Appellants respectfully submit that the cited references, taken individually or in combination, do not teach or suggest all the limitations recited in claim 1.

In particular, Appellants respectfully submit that the cited references, taken individually or in combination, do not teach or suggest a method comprising translating a message from an original format to a portable format on a first computer system, thereby generating a portable message, wherein the portable message comprises metadata which comprise identifying characteristics of the source application, in combination with the

6

remaining features of claim 1. The Examiner cites Fig. 2 and claim 4 of Abjanic as teaching "wherein the portable message comprises metadata which comprise identifying characteristics of the source application." For at least the reasons discussed as follows, Appellants respectfully disagree.

In Fig. 2 and the accompanying description (e.g., col. 4 line 32 through col. 5, line 67), Abjanic discloses a method for receiving and processing a message. The message may include a "request-line" identifying a requested program for processing the message headers (col. 4, lines 47-48) in addition to the body of the message representing "the application data or the XML data" (col. 4, lines 50-51). The request-line portion of the message provides an identification of a _target_ application, i.e., a program for processing the message, but not identifying characteristics of the _source_ application (see, e.g., col. 5, lines 1-3). As shown in the example of col. 4, lines 55-66, the body of the message is a document to be processed and does not comprise _identifying characteristics of the source_ _application_. Although the example document includes a "From" field, the "From" field indicates an _individual or group_ participating in the transaction (in the example, "intel.com") and thus does not comprise identifying characteristics of the source _application_.

In claim 4, Abjanic discloses an apparatus "wherein if the message is transformed based on the validation template or a reference to a validation template then said validation template comprises either a Document Type Definition (DTD) or a schema." However, Appellants can find no teaching or suggestion that the Document Type Definition or schema provides _identifying characteristics of a source application_.

In the "Response to Arguments" section of the Final Office Action, the Examiner argues that "[t]he phrase 'identifying characteristics of the source application' is an overly broad phrase which does not specify particular characteristics of the source application." The Examiner then seems to argue that any XML message sent by Abjanic inherently has identifying characteristics of the source application. Appellants can find no teaching, suggestion, or other evidence of such a conclusion in Abjanic. As discussed

above, Abjanic does not teach or suggest <u>any</u> element of a message that <u>identifies the</u> <u>source application</u> or otherwise comprises <u>identifying characteristics of a source</u> <u>application</u>.

Appellants also respectfully submit that the cited references, taken individually or in combination, do not teach or suggest a method comprising <u>routing the portable</u> <u>message to a target application on the second computer system based on the metadata</u>, in combination with the remaining features of claim 1. The Examiner asserts that Abjanic teaches this feature and cites locations such as Fig. 2 and col. 5, lines 22-24. For at least the reasons discussed as follows, Applicant respectfully disagrees.

In step 225 of Fig. 2, Abjanic discloses that the message may be directed or switched "based on the application data or XML data (e.g., the business transaction information) in the message." In col. 5, lines 22-24, Abjanic states that routing and switching decisions for the message may be based upon various types of business transaction information. However, Abjanic explicitly states that the routing or switching is based on <u>data</u> (e.g., business transaction information) rather than metadata. In particular, as stated in col. 5, lines 15-20, the business transaction information describes elements of the business transaction such as "To," "From," "items purchased," "purchase amount," and "quantity." There is no teaching or suggestion in Abjanic that these elements comprise <u>metadata</u>. Additionally, for at least the reasons discussed above, Abjanic fails to teach or suggest routing the portable message based on <u>metadata</u> <u>comprising identifying characteristics of the source application</u>.

Therefore, Appellants respectfully submit that Abjanic, Helgeson, and Olson, taken individually or in combination, fail to teach or suggest numerous limitations of claim 1. Even assuming, *arguendo*, that all the limitations recited in the claims are taught or suggested by Abjanic, Helgeson, and Olson, Appellants respectfully submit that it would not have been obvious to one of ordinary skill in the art at the time the invention was made to combine Abjanic, Helgeson, and Olson to produce the claimed invention.

Accordingly, claim 1 and its dependent claims 4 and 11 are believed to patentably distinguish over the cited references for at least the reasons given above. Claims 12 and 23 recite features similar to those of claim 1 and, along with their dependent claims 15, 22, 26, and 33, are believed to patentably distinguish over the cited references for at least the same reasons.

Second Ground of Rejection:

Claims 2, 13, and 24 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Abjanic, Helgeson, and Olson, and further in view of Law (WO 02/32171), Shaw et al. (U.S. Patent No. 6,362,836, hereinafter "Shaw"), and Chou et al. (U.S. Patent No. 6,247,056, hereinafter "Chou"). Appellants traverse this rejection for the following reasons.

Claims 2, 13, and 24:

To establish a *prima facie* case of obviousness of a claimed invention, all claim limitations must be taught or suggested by the prior art. *In re Royka*, 490 F.2d 981, 180 U.S.P.Q. 580 (C.C.P.A. 1974), MPEP 2143.03. For at least the reasons discussed above with respect to claim 1, Appellants respectfully submit that the cited references, taken individually or in combination, would not produce all the limitations recited in claim 2 and its base claim 1. Furthermore, Appellants respectfully submit that it would not have been obvious to one of ordinary skill in the art at the time the invention was made to combine the six references cited by the Examiner to produce the claimed invention.

Accordingly, claim 2 is believed to patentably distinguish over the cited references for at least the reasons given above. Claims 13 and 24 recite features similar to those of

claim 2 and are believed to patentably distinguish over the cited references for at least the same reasons.

Third Ground of Rejection:

Claims 3, 14, and 25 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Abjanic, Helgeson, and Olson, and further in view of Ozzie et al. (WO 01/06365, hereinafter "Ozzie"). Appellants traverse this rejection for the following reasons.

Claims 3, 14, and 25:

To establish a *prima facie* case of obviousness of a claimed invention, all claim limitations must be taught or suggested by the prior art. *In re Royka*, 490 F.2d 981, 180 U.S.P.Q. 580 (C.C.P.A. 1974), MPEP 2143.03. For at least the reasons discussed above with respect to claim 1, Appellants respectfully submit that the cited references, taken individually or in combination, would not produce all the limitations recited in claim 3 and its base claim 1. Furthermore, Appellants respectfully submit that it would not have been obvious to one of ordinary skill in the art at the time the invention was made to combine the references to produce the claimed invention.

Accordingly, claim 3 is believed to patentably distinguish over the cited references for at least the reasons given above. Claims 14 and 25 recite features similar to those of claim 3 and are believed to patentably distinguish over the cited references for at least the same reasons.

Fourth Ground of Rejection:

Claims 5, 16, and 27 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Abjanic, Helgeson, and Olson, and further in view of Aldred et al. (U.S. Patent No. 5,539,886, hereinafter "Aldred"). Appellants traverse this rejection for

the following reasons.

Claims 5, 16, and 27:

To establish a *prima facie* case of obviousness of a claimed invention, all claim limitations must be taught or suggested by the prior art. *In re Royka*, 490 F.2d 981, 180 U.S.P.Q. 580 (C.C.P.A. 1974), MPEP 2143.03. For at least the reasons discussed above with respect to claim 1, Appellants respectfully submit that the cited references, taken individually or in combination, would not produce all the limitations recited in claim 5 and its base claim 1. Furthermore, Appellants respectfully submit that it would not have been obvious to one of ordinary skill in the art at the time the invention was made to combine the references to produce the claimed invention.

Accordingly, claim 5 is believed to patentably distinguish over the cited references for at least the reasons given above. Claims 16 and 27 recite features similar to those of claim 5 and are believed to patentably distinguish over the cited references for at least the same reasons.

Fifth Ground of Rejection:

Claims 6, 7, 16, 18, 28, and 29 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Abjanic, Helgeson, and Olson, and further in view of Harvey et al. (U.S. Patent No. 6,487,583, hereinafter "Harvey"). Appellants traverse this rejection for the following reasons.

Claims 6, 7, 16, 18, 28, and 29:

To establish a *prima facie* case of obviousness of a claimed invention, all claim limitations must be taught or suggested by the prior art. *In re Royka*, 490 F.2d 981, 180 U.S.P.Q. 580 (C.C.P.A. 1974), MPEP 2143.03. For at least the reasons discussed above with respect to claim 1, Appellants respectfully submit that the cited references, taken

individually or in combination, would not produce all the limitations recited in claim 6 and its base claim 1. Furthermore, Appellants respectfully submit that it would not have been obvious to one of ordinary skill in the art at the time the invention was made to combine the references to produce the claimed invention.

Accordingly, claim 6 is believed to patentably distinguish over the cited references for at least the reasons given above. Claims 7, 16, 18, 28, and 29 are believed to patentably distinguish over the cited references for at least the same reasons.

Sixth Ground of Rejection:

Claims 8, 19 and 30 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Abjanic, Helgeson, and Olson, and further in view of Traversat et al. (U.S. Patent No. 7,167,920, hereinafter "Traversat"). Appellants traverse this rejection for the following reasons.

Claims 8, 19, and 30:

To establish a *prima facie* case of obviousness of a claimed invention, all claim limitations must be taught or suggested by the prior art. *In re Royka*, 490 F.2d 981, 180 U.S.P.Q. 580 (C.C.P.A. 1974), MPEP 2143.03. For at least the reasons discussed above with respect to claim 1, Appellants respectfully submit that the cited references, taken individually or in combination, would not produce all the limitations recited in claim 8 and its base claim 1. Furthermore, Appellants respectfully submit that it would not have been obvious to one of ordinary skill in the art at the time the invention was made to combine the references to produce the claimed invention.

Accordingly, claim 8 is believed to patentably distinguish over the cited references for at least the reasons given above. Claims 19 and 30 recite features similar to those of claim 8 and are believed to patentably distinguish over the cited references for at least the same reasons.

Seventh Ground of Rejection:

Claims 9, 20, and 31 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Abjanic, Helgeson, and Olson, and further in view of Gupta et al. (U.S. Patent No. 7,051,102, hereinafter "Gupta"). Appellants traverse this rejection for the following reasons.

Claims 9, 20, and 31:

To establish a *prima facie* case of obviousness of a claimed invention, all claim limitations must be taught or suggested by the prior art. *In re Royka*, 490 F.2d 981, 180 U.S.P.Q. 580 (C.C.P.A. 1974), MPEP 2143.03. For at least the reasons discussed above with respect to claim 1, Appellants respectfully submit that the cited references, taken individually or in combination, would not produce all the limitations recited in claim 9 and its base claim 1. Furthermore, Appellants respectfully submit that it would not have been obvious to one of ordinary skill in the art at the time the invention was made to combine the references to produce the claimed invention.

Accordingly, claim 9 is believed to patentably distinguish over the cited references for at least the reasons given above. Claims 20 and 31 recite features similar to those of claim 9 and are believed to patentably distinguish over the cited references for at least the same reasons.

Eighth Ground of Rejection:

Claims 10, 21, and 32 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Abjanic, Helgeson, and Olson, and further in view of Bentali et al. (U.S. Patent No. 6,282,170, hereinafter "Bentali"). Appellants traverse this rejection for the following reasons.

Claims 10, 21, and 32:

To establish a *prima facie* case of obviousness of a claimed invention, all claim limitations must be taught or suggested by the prior art. *In re Royka*, 490 F.2d 981, 180 U.S.P.Q. 580 (C.C.P.A. 1974), MPEP 2143.03. For at least the reasons discussed above with respect to claim 1, Appellants respectfully submit that the cited references, taken individually or in combination, would not produce all the limitations recited in claim 10 and its base claim 1. Furthermore, Appellants respectfully submit that it would not have been obvious to one of ordinary skill in the art at the time the invention was made to combine the references to produce the claimed invention.

Accordingly, claim 10 is believed to patentably distinguish over the cited references for at least the reasons given above. Claims 21 and 32 recite features similar to those of claim 10 and are believed to patentably distinguish over the cited references for at least the same reasons.

For the foregoing reasons, it is submitted that the Examiner's rejection of claims 1-33 was erroneous, and reversal of the decision is respectfully requested.

The fee of $255.00 for filing this Appeal Brief is being paid concurrently via EFS-Web. If any extensions of time (under 37 C.F.R. § 1.136) are necessary to prevent the above-referenced application(s) from becoming abandoned, Appellant(s) hereby petition for such extensions. The Commissioner is hereby authorized to charge any fees which may be required or credit any overpayment to Meyertons, Hood, Kivlin, Kowert & Goetzel P.C., Deposit Account No. 50-1505/5602-12300/JCH.

Respectfully submitted,

/Jeffrey C. Hood/

Jeffrey C. Hood, Reg. #35198
ATTORNEY FOR APPLICANT(S)

Meyertons, Hood, Kivlin, Kowert & Goetzel PC
P.O. Box 398
Austin, TX 78767-0398
Phone: (512) 853-8800
Date: June 24, 2008   JCH/RPH

VIII. CLAIMS APPENDIX

The claims on appeal are as follows.

1.   A method comprising:

generating a message from a source application on a first computer system;

translating the message from an original format to a portable format on the first computer system, thereby generating a portable message, wherein the portable message comprises metadata which comprise identifying characteristics of the source application;

sending the portable message from the first computer system to a second computer system using peer-to-peer message passing between the first computer system, the second computer system, and optionally one or more intermediary computer systems;

receiving the portable message at the second computer system; and

routing the portable message to a target application on the second computer system based on the metadata.

2.   The method of claim 1, further comprising:

determining an application type of the target application based on the metadata of the portable message;

determining whether an existing instance of the application type of the target application is running on the second computer system;

wherein the routing the portable message to the target application comprises routing the portable message to the existing instance if the existing instance of the application type of the target application is running on the second computer system; and

wherein the routing the portable message to the target application comprises routing the portable message to a new instance of the target application if the existing instance of the application type of the target application is not running on the second computer system.

3.   The method of claim 1, further comprising:

delivering a payload of the message to the target application.

4.   The method of claim 1, further comprising:

translating the portable message from the portable format to the original format on the second computer system.

5.   The method of claim 1,

wherein the source application is network-unaware.

6.   The method of claim 1, further comprising:

invoking functionality of the second computer system in response to the message.

7.   The method of claim 6,

wherein the invoking functionality on the second computer system comprises instructing the target application to take one or more actions.

8.   The method of claim 1,

wherein the portable message is sent from the first computer system to the second computer system and one or more additional computer systems using multicast peer-to-peer messaging.

9.   The method of claim 1,

wherein the portable message is sent from the first computer system to the second computer system and one or more additional computer systems using broadcast peer-to-peer messaging.

10.   The method of claim 1,

wherein the portable metadata comprises a quantity of allowable network hops before the message is considered undeliverable.

11.   The method of claim 1,

wherein the portable format comprises XML, and wherein the portable messages comprise XML messages.

12. A computer-readable storage medium comprising program instructions, wherein the program instructions are computer-executable to implement:

generating a message from a source application on a first computer system;

translating the message from an original format to a portable format on the first computer system, thereby generating a portable message, wherein the portable message comprises metadata which comprise identifying characteristics of the source application;

sending the portable message from the first computer system to a second computer system using peer-to-peer message passing between the first computer system, the second computer system, and optionally one or more intermediary computer systems;

receiving the portable message at the second computer system; and

routing the portable message to a target application on the second computer system based on the metadata.

13. The computer-readable storage medium of claim 12, wherein the program instructions are further computer-executable to implement:

determining an application type of the target application based on the metadata of the portable message;

determining whether an existing instance of the application type of the target application is running on the second computer system;

wherein the routing the portable message to the target application comprises routing the portable message to the existing instance if the existing instance of the application type of the target application is running on the second computer system; and

wherein the routing the portable message to the target application comprises routing the portable message to a new instance of the target application if the existing instance of the application type of the target application is not running on the second computer system.

14.   The computer-readable storage medium of claim 12, wherein the program instructions are further computer-executable to implement:

delivering a payload of the message to the target application.

15.   The computer-readable storage medium of claim 12, wherein the program instructions are further computer-executable to implement:

translating the portable message from the portable format to the original format on the second computer system.

16.   The computer-readable storage medium of claim 12,

wherein the source application is network-unaware.

17.   The computer-readable storage medium of claim 12, wherein the program instructions are further computer-executable to implement:

invoking functionality of the second computer system in response to the message.

18.   The computer-readable storage medium of claim 17,

wherein the invoking functionality on the second computer system comprises instructing the target application to take one or more actions.

19.   The computer-readable storage medium of claim 12,

wherein the portable message is sent from the first computer system to the second computer system and one or more additional computer systems using multicast peer-to-peer messaging.

20.   The computer-readable storage medium of claim 12,

wherein the portable message is sent from the first computer system to the second computer system and one or more additional computer systems using broadcast peer-to-peer messaging.

21.   The computer-readable storage medium of claim 12,

wherein the portable metadata comprises a quantity of allowable network hops before the message is considered undeliverable.

22.   The computer-readable storage medium of claim 12,

wherein the portable format comprises XML, and wherein the portable messages comprise XML messages.

23.   A system comprising:

a first computer system comprising a first CPU and a first memory;

a second computer system comprising a second CPU and a second memory;

wherein the first computer system and the second computer system are communicatively coupled via a network;

wherein the first memory stores program instructions which are executable by the first CPU to:

generate a message from a source application on the first computer system;

translate the message from an original format to a portable format on the first computer system, thereby generating a portable message, wherein the portable message comprises metadata which comprise identifying characteristics of the source application;

send the portable message from the first computer system to the second computer system using peer-to-peer message passing between the first computer system, the second computer system, and optionally one or more intermediary computer systems;

wherein the second memory stores program instructions which are executable by the second CPU to:

receive the portable message at the second computer system; and

route the portable message to a target application on the second computer system based on the metadata.

24.   The system of claim 23, wherein the program instructions are further executable by the second CPU to:

determine an application type of the target application based on the metadata of the portable message;

determine whether an existing instance of the application type of the target application is running on the second computer system;

wherein the routing the portable message to the target application comprises routing the portable message to the existing instance if the existing instance of the application type of the target application is running on the second computer system; and

wherein the routing the portable message to the target application comprises routing the portable message to a new instance of the target application if the existing instance of the application type of the target application is not running on the second computer system.

25.   The system of claim 23, wherein the program instructions are further executable by the second CPU to:

delivering a payload of the message to the target application.

26.   The system of claim 23, wherein the program instructions are further executable by the second CPU to:

translating the portable message from the portable format to the original format on the second computer system.

27.   The system of claim 23,

wherein the source application is network-unaware.

28.   The system of claim 23, wherein the program instructions are further executable by the second CPU to:

invoke functionality of the second computer system in response to the message.

29.   The system of claim 28,

wherein the invoking functionality on the second computer system comprises instructing the target application to take one or more actions.

30.   The system of claim 23,

wherein the portable message is sent from the first computer system to the second computer system and one or more additional computer systems using multicast peer-to-peer messaging.

31.   The system of claim 23,

wherein the portable message is sent from the first computer system to the second computer system and one or more additional computer systems using broadcast peer-to-peer messaging.

32.   The system of claim 23,

wherein the portable metadata comprises a quantity of allowable network hops before the message is considered undeliverable.

33.   The system of claim 23,

wherein the portable format comprises XML, and wherein the portable messages comprise XML messages.

IX.   <u>EVIDENCE APPENDIX</u>

No evidence submitted under 37 CFR §§ 1.130, 1.131, or 1.132 or otherwise entered by the Examiner is relied upon in this appeal.

X. RELATED PROCEEDINGS APPENDIX

There are no decisions rendered by a court or the Board in any related proceedings known to Appellants, Appellants' legal representatives, or assignee which will directly affect, be directly affected by, or have a bearing on the Board's decision in the pending appeal.